Case 12-33594 Doc 5 Filed 12/18/12 Entered 12/18/12 15:38:56 Desc Main Document Page 1 of 7

B22C (Official Form 22C) (Chapter 13) (12/10)

In re	Charles Edward Stennis	According to the calculations required by this statement:
	Debtor(s)	■ The applicable commitment period is 3 years.
Case N		☐ The applicable commitment period is 5 years.
	(If known)	☐ Disposable income is determined under § 1325(b)(3).
		■ Disposable income is not determined under § 1325(b)(3).
		(Check the boxes as directed in Lines 17 and 23 of this statement)

CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME AND CALCULATION OF COMMITMENT PERIOD AND DISPOSABLE INCOME

In addition to Schedules I and J, this statement must be completed by every individual chapter 13 debtor, whether or not filing jointly. Joint debtors may complete one statement only.

		Par	t I. I	REPORT OF INC	COM	E					
1	Marital/filing status. Check the box that applies and complete the balance of this part of this statement as directed. a. Unmarried. Complete only Column A ("Debtor's Income") for Lines 2-10.										
	b. Married. Complete both Column A ("Debtor's Income") and Column B ("Spouse's Inco							for Lines 2-10			
	All figures must reflect average monthly income received from all sources, derived during the six							Column A		Column B	
		dar months prior to filing the bankruptcy case					Debtor's		Spouse's		
	the filing. If the amount of monthly income varied during the six months, you must divide the six-month total by six, and enter the result on the appropriate line.							Income		Income	
2	Gross	Gross wages, salary, tips, bonuses, overtime, commissions.						1,078.17	\$	0.00	
3	Income from the operation of a business, profession, or farm. Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 3. If you operate more than one business profession or farm, enter aggregate numbers and provide details on an attachment. Do not enter a number less than zero. Do not include any part of the business expenses entered on Line b as a deduction in Part IV.					than one business, ent. Do not enter a					
				Debtor		Spouse					
	a.	Gross receipts	\$	0.00		0.00					
	b.	Ordinary and necessary business expenses	\$	0.00		0.00	Φ.		Φ.	0.00	
	c.	Business income	•	otract Line b from			\$	0.00	\$	0.00	
4	the ap	Rents and other real property income. Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 4. Do not enter a number less than zero. Do not include any part of the operating expenses entered on Line b as a deduction in Part IV. Debtor Spouse									
·	a.	Gross receipts	\$	0.00	\$	0.00					
	b.	Ordinary and necessary operating expenses	\$	0.00		0.00					
	c.	Rent and other real property income		btract Line b from			\$	0.00	\$	0.00	
5	Inter	est, dividends, and royalties.					\$	0.00	\$	0.00	
6	Pensi	ion and retirement income.					\$	0.00	\$	0.00	
7	Any amounts paid by another person or entity, on a regular basis, for the household expenses of the debtor or the debtor's dependents, including child support paid for that purpose. Do not include alimony or separate maintenance payments or amounts paid by the debtor's spouse. Each regular payment should be reported in only one column; if a payment is listed in Column A, do not report that payment in Column B.						\$	0.00	\$	0.00	
	listed	in Column A, do not report that payment in C									
8	Unen Howe benef	nployment compensation. Enter the amount in ever, if you contend that unemployment compensation that under the Social Security Act, do not list the but instead state the amount in the space belo	n the ensa e am	tion received by yo	ou or	your spouse was a					

12/18/12 3:19PM

Income from all other sources. Specify source and amount. If necessary, list additional sources on a separate page. Total and enter on Line 9. Do not include alimony or separate maintenance payments paid by your spouse, but include all other payments of alimony or separate maintenance. Do not include any benefits received under the Social Security Act or 9 payments received as a victim of a war crime, crime against humanity, or as a victim of international or domestic terrorism. Debtor Spouse a. 0.00 0.00 Subtotal. Add Lines 2 thru 9 in Column A, and, if Column B is completed, add Lines 2 through 9 10 1,078.17 \$ 0.00 in Column B. Enter the total(s). Total. If Column B has been completed, add Line 10, Column A to Line 10, Column B, and enter 11 1,078.17 the total. If Column B has not been completed, enter the amount from Line 10, Column A. Part II. CALCULATION OF § 1325(b)(4) COMMITMENT PERIOD 12 Enter the amount from Line 11 1,078.17 Marital Adjustment. If you are married, but are not filing jointly with your spouse, AND if you contend that calculation of the commitment period under § 1325(b)(4) does not require inclusion of the income of your spouse, enter on Line 13 the amount of the income listed in Line 10, Column B that was NOT paid on a regular basis for the household expenses of you or your dependents and specify, in the lines below, the basis for excluding this income (such as payment of the spouse's tax liability or the spouse's support of persons other than the debtor or the debtor's dependents) and the amount of income devoted to each purpose. If necessary, list additional adjustments 13 on a separate page. If the conditions for entering this adjustment do not apply, enter zero. Total and enter on Line 13 0.00 14 Subtract Line 13 from Line 12 and enter the result. 1,078.17 Annualized current monthly income for § 1325(b)(4). Multiply the amount from Line 14 by the number 12 and 15 enter the result. 12,938.04 **Applicable median family income.** Enter the median family income for applicable state and household size. (This information is available by family size at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) 16 a. Enter debtor's state of residence: TN b. Enter debtor's household size: 47,631.00 **Application of § 1325(b)(4).** Check the applicable box and proceed as directed. ■ The amount on Line 15 is less than the amount on Line 16. Check the box for "The applicable commitment period is 3 years" at the 17 top of page 1 of this statement and continue with this statement. The amount on Line 15 is not less than the amount on Line 16. Check the box for "The applicable commitment period is 5 years" at the top of page 1 of this statement and continue with this statement. Part III. APPLICATION OF § 1325(b)(3) FOR DETERMINING DISPOSABLE INCOME 18 Enter the amount from Line 11. 1.078.17 Marital Adjustment. If you are married, but are not filing jointly with your spouse, enter on Line 19 the total of any income listed in Line 10, Column B that was NOT paid on a regular basis for the household expenses of the debtor or the debtor's dependents. Specify in the lines below the basis for excluding the Column B income(such as payment of the spouse's tax liability or the spouse's support of persons other than the debtor or the debtor's dependents) and the amount of income devoted to each purpose. If necessary, list additional adjustments on a 19 separate page. If the conditions for entering this adjustment do not apply, enter zero. \$ Total and enter on Line 19. 0.00 20 Current monthly income for § 1325(b)(3). Subtract Line 19 from Line 18 and enter the result. 1,078.17

B22C (Official Form 22C) (Chapter 13) (12/10)

3

21	Annualized current monthly income for § 1325(b)(3). Multiply the amount from Line 20 by the number 12 and enter the result.							12,938.04
22	Applicable median family income. Enter the amount from Line 16.						\$	47,631.00
23	Application of § 1325(b)(3). Check the applicable box and proceed as directed. ☐ The amount on Line 21 is more than the amount on Line 22. Check the box for "Disposable income is deter 1325(b)(3)" at the top of page 1 of this statement and complete the remaining parts of this statement. ☐ The amount on Line 21 is not more than the amount on Line 22. Check the box for "Disposable income is 1325(b)(3)" at the top of page 1 of this statement and complete Part VII of this statement. Do not complete P							der §
		Part IV. CA	ALCULATION ()F I	DEDUCTIONS FR	OM INCOME		
		Subpart A: Do	eductions under Star	ndar	ds of the Internal Reve	enue Service (IRS)		
24A	National Standards: food, apparel and services, housekeeping supplies, personal care, and miscellaneous. Enter in Line 24A the "Total" amount from IRS National Standards for Allowable Living Expenses for the applicable number of persons. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) The applicable number of persons is the number that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support.						\$	
24B	National Standards: health care. Enter in Line a1 below the amount from IRS National Standards for Out-of-Pocket Health Care for persons under 65 years of age, and in Line a2 the IRS National Standards for Out-of-Pocket Health Care for persons 65 years of age or older. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) Enter in Line b1 the applicable number of persons who are under 65 years of age, and enter in Line b2 the applicable number of persons who are 65 years of age or older. (The applicable number of persons in each age category is the number in that category that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support.) Multiply Line a1 by Line b1 to obtain a total amount for persons under 65, and enter the result in Line c1. Multiply Line a2 by Line b2 to obtain a total amount for persons 65 and older, and enter the result in Line c2. Add Lines c1 and c2 to obtain a total health care amount, and enter the result in Line 24B.							
	Persons under 65 years of age		Persons 65 years of age or older					
	a1.	Allowance per person		a2.	Allowance per person			
	b1.	Number of persons		b2.	Number of persons			
	c1.	Subtotal		c2.	Subtotal		\$	
25A	Local Standards: housing and utilities; non-mortgage expenses. Enter the amount of the IRS Housing and Utilities Standards; non-mortgage expenses for the applicable county and family size. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court). The applicable family size consists of the number that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support.						\$	
25B	Local Standards: housing and utilities; mortgage/rent expense. Enter, in Line a below, the amount of the IRS Housing and Utilities Standards; mortgage/rent expense for your county and family size (this information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court) (the applicable family size consists of the number that would currently be allowed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support); enter on Line b the total of the Average Monthly Payments for any debts secured by your home, as stated in Line 47; subtract Line b from Line a and enter the result in Line 25B. Do not enter an amount less than zero. IRS Housing and Utilities Standards; mortgage/rent expense						\$	
26	C. Net mortgage/rental expense Subtract Line b from Line a.							

4

27A	Local Standards: transportation; vehicle operation/public transpo expense allowance in this category regardless of whether you pay the regardless of whether you use public transportation. Check the number of vehicles for which you pay the operating expensincluded as a contribution to your household expenses in Line 7. 0						
	If you checked 0, enter on Line 27A the "Public Transportation" amount from IRS Local Standards: Transportation. If you checked 1 or 2 or more, enter on Line 27A the "Operating Costs" amount from IRS Local Standards: Transportation for the applicable number of vehicles in the applicable Metropolitan Statistical Area or Census Region. (These amounts are available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.)						
27B	Local Standards: transportation; additional public transportation for a vehicle and also use public transportation, and you contend that your public transportation expenses, enter on Line 27B the "Public Tr Standards: Transportation. (This amount is available at www.usdoj.gc court.)	\$					
28	Local Standards: transportation ownership/lease expense; Vehicle 1. Check the number of vehicles for which you claim an ownership/lease expense. (You may not claim an ownership/lease expense for more than two vehicles.) 1						
	the result in Line 28. Do not enter an amount less than zero. a. IRS Transportation Standards, Ownership Costs	[\$					
	Average Monthly Payment for any debts secured by Vehicle						
	b. 1, as stated in Line 47 c. Net ownership/lease expense for Vehicle 1	Subtract Line b from Line a.	\$				
29	the result in Line 29. Do not enter an amount less than zero. a. IRS Transportation Standards, Ownership Costs Average Monthly Payment for any debts secured by Vehicle						
	b. 2, as stated in Line 47 c. Net ownership/lease expense for Vehicle 2	\$ Subtract Line b from Line a.	\$				
30	Other Necessary Expenses: taxes. Enter the total average monthly estate, and local taxes, other than real estate and sales taxes, such as in security taxes, and Medicare taxes. Do not include real estate or sales	xpense that you actually incur for all federal, come taxes, self employment taxes, social	\$				
31	Other Necessary Expenses: involuntary deductions for employment deductions that are required for your employment, such as mandatory uniform costs. Do not include discretionary amounts, such as voluntary deductions.	\$					
32	Other Necessary Expenses: life insurance. Enter total average mon life insurance for yourself. Do not include premiums for insurance any other form of insurance.	\$					
33	Other Necessary Expenses: court-ordered payments. Enter the total monthly amount that you are required to pay pursuant to the order of a court or administrative agency, such as spousal or child support payments. Do not include payments on past due obligations included in line 49.						
34	Other Necessary Expenses: education for employment or for a phythe total average monthly amount that you actually expend for educate education that is required for a physically or mentally challenged depoproviding similar services is available.	\$					
35	Other Necessary Expenses: childcare. Enter the total average mont childcare - such as baby-sitting, day care, nursery and preschool. Do		\$				
36	Other Necessary Expenses: health care. Enter the total average mo health care that is required for the health and welfare of yourself or yoursurance or paid by a health savings account, and that is in excess of include payments for health insurance or health savings accounts.	\$					

Other Necessary Expenses: telecommunication services. Enter the total average monthly amount that you actually pay for telecommunication services other than your basic home telephone and cell phone service - such as 37 pagers, call waiting, caller id, special long distance, or internet service-to the extent necessary for your health and welfare or that of your dependents. Do not include any amount previously deducted. 38 **Total Expenses Allowed under IRS Standards.** Enter the total of Lines 24 through 37. \$ **Subpart B: Additional Living Expense Deductions** Note: Do not include any expenses that you have listed in Lines 24-37 Health Insurance, Disability Insurance, and Health Savings Account Expenses. List the monthly expenses in the categories set out in lines a-c below that are reasonably necessary for yourself, your spouse, or your dependents. 39 Health Insurance \$ b. Disability Insurance \$ Health Savings Account \$ Total and enter on Line 39 If you do not actually expend this total amount, state your actual total average monthly expenditures in the space below: Continued contributions to the care of household or family members. Enter the total average actual monthly expenses that you will continue to pay for the reasonable and necessary care and support of an elderly, chronically 40 ill, or disabled member of your household or member of your immediate family who is unable to pay for such expenses. Do not include payments listed in Line 34. Protection against family violence. Enter the total average reasonably necessary monthly expenses that you 41 actually incur to maintain the safety of your family under the Family Violence Prevention and Services Act or other applicable federal law. The nature of these expenses is required to be kept confidential by the court. Home energy costs. Enter the total average monthly amount, in excess of the allowance specified by IRS Local Standards for Housing and Utilities that you actually expend for home energy costs. You must provide your case 42 trustee with documentation of your actual expenses, and you must demonstrate that the additional amount claimed is reasonable and necessary. \$ Education expenses for dependent children under 18. Enter the total average monthly expenses that you actually incur, not to exceed \$147.92 per child, for attendance at a private or public elementary or secondary 43 school by your dependent children less than 18 years of age. You must provide your case trustee with documentation of your actual expenses, and you must explain why the amount claimed is reasonable and necessary and not already accounted for in the IRS Standards. Additional food and clothing expense. Enter the total average monthly amount by which your food and clothing expenses exceed the combined allowances for food and clothing (apparel and services) in the IRS National 44 Standards, not to exceed 5% of those combined allowances. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) You must demonstrate that the additional amount claimed is reasonable and necessary. \$ Charitable contributions. Enter the amount reasonably necessary for you to expend each month on charitable 45 contributions in the form of cash or financial instruments to a charitable organization as defined in 26 U.S.C. § 170(c)(1)-(2). Do not include any amount in excess of 15% of your gross monthly income. \$

Total Additional Expense Deductions under § 707(b). Enter the total of Lines 39 through 45.

46

\$

			Subpart C: Deductions for De	bt Paym	ent			
47	Future payments on secured claims. For each of your debts that is secured by an interest in property that you own, list the name of creditor, identify the property securing the debt, state the Average Monthly Payment, and							
	Name of Creditor Property Securing the Debt Average Monthly include taxes Payment or insurance							
	a.				dd Lines	□yes □no	\$	
48	Other payments on secured claims. If any of debts listed in Line 47 are secured by your primary residence, a motor vehicle, or other property necessary for your support or the support of your dependents, you may include in your deduction 1/60th of any amount (the "cure amount") that you must pay the creditor in addition to the payments listed in Line 47, in order to maintain possession of the property. The cure amount would include any sums in default that must be paid in order to avoid repossession or foreclosure. List and total any such amounts in the following chart. If necessary, list additional entries on a separate page.							
	1	Name of Creditor	Property Securing the Debt		1/60th of tl	ne Cure Amount	ļ.	
	a.			\$	7	Total: Add Lines	\$	
49	Payments on prepetition priority claims. Enter the total amount, divided by 60, of all priority claims, such as priority tax, child support and alimony claims, for which you were liable at the time of your bankruptcy filing. Do not include current obligations, such as those set out in Line 33. Chapter 13 administrative expenses. Multiply the amount in Line a by the amount in Line b, and enter the resulting administrative expense.							
50	a. Projected average monthly Chapter 13 plan payment. b. Current multiplier for your district as determined under schedules issued by the Executive Office for United States Trustees. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) c. Average monthly administrative expense of chapter 13 case Total: Multiply Lines a and b						\$	
5.1	C.			•	untiply Lin	les a and b		
51	Total	Deductions for Debt Payr	ment. Enter the total of Lines 47 through 5				\$	
	T		Subpart D: Total Deductions f	rom Inc	ome			
52	Total of all deductions from income. Enter the total of Lines 38, 46, and 51.						\$	
		Part V. DETER	MINATION OF DISPOSABLE I	NCOMI	E UNDE	R § 1325(b)(2))	
53	Total o	current monthly income.	Enter the amount from Line 20.				\$	
54	payme	nts for a dependent child, 1	thly average of any child support payments, reported in Part I, that you received in accordessary to be expended for such child.				\$	
55	Qualif wages loans f	nployer from red repayments of	\$					
56	Total of all deductions allowed under § 707(b)(2). Enter the amount from Line 52.					\$		

Case 12-33594 Doc 5 Filed 12/18/12 Entered 12/18/12 15:38:56 Desc Main Document Page 7 of 7

B22C (Official Form 22C) (Chapter 13) (12/10)

12/18/12 3:19PM

7

Deduction for special circumstances. If there are special circumstances that justify additional expenses for which there is no reasonable alternative, describe the special circumstances and the resulting expenses in lines a-c below. If necessary, list additional entries on a separate page. Total the expenses and enter the total in Line 57. You must provide your case trustee with documentation of these expenses and you must provide a detailed explanation of the special circumstances that make such expense necessary and reasonable. 57 Nature of special circumstances Amount of Expense a. \$ b. \$ Total: Add Lines \$ Total adjustments to determine disposable income. Add the amounts on Lines 54, 55, 56, and 57 and enter the 58 Monthly Disposable Income Under § 1325(b)(2). Subtract Line 58 from Line 53 and enter the result. 59 Part VI. ADDITIONAL EXPENSE CLAIMS Other Expenses. List and describe any monthly expenses, not otherwise stated in this form, that are required for the health and welfare of you and your family and that you contend should be an additional deduction from your current monthly income under § 707(b)(2)(A)(ii)(I). If necessary, list additional sources on a separate page. All figures should reflect your average monthly expense for each item. Total the expenses. **Expense Description** Monthly Amount 60 b. \$ \$ Total: Add Lines a, b, c and d Part VII. VERIFICATION I declare under penalty of perjury that the information provided in this statement is true and correct. (If this is a joint case, both debtors must sign.) Date: **December 18, 2012** Signature: /s/ Charles Edward Stennis 61 **Charles Edward Stennis**

(Debtor)